IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SUSAN CHANG, AS NEXT FRIEND OF ALISON CHANG, A MINOR, AND JUSTIN HO-WEE WONG,	§ § § §	
PLAINTIFFS	§	CA No. 3:07-cv-1767
V.	§ §	
VIRGIN MOBILE PTY LTD.,	§ §	
DEFENDANT.	§	

JOINT PROPOSED SCHEDULING PLAN

Pursuant to the Court's Order of November 16, 2007 Setting Rule 16(b) scheduling conference, the parties' counsel had a conference at Defendant's counsel's office on February 21, 2008. Ryan H. Zehl participated on behalf of Plaintiffs Susan Chang as next friend of Alison Chang, and Justin Ho-Wee Wong, ("Plaintiffs"), and Lisa H. Meyerhoff and Myall S. Hawkins participated on behalf of Defendant Virgin Mobile Pty Ltd. ("Defendant" or "Virgin Australia"). In accordance with the Court's Order, the parties submit the following Joint Proposed Scheduling Plan:

1. Referral to a Magistrate Judge

The parties do not consent to referral to a Magistrate Judge at this time.

2. Discovery

A. Plaintiffs recently moved for a second extension (until June 9, 2008) to file a response to Defendant's pending motion to dismiss for lack of personal jurisdiction. With the new briefing date for Plaintiffs' response and Defendant's reply, the Court will not have an opportunity to consider Defendant's motion until at least late June 2008. Defendant has therefore proposed extended dates for this case. Additionally, Defendant requests that the Rule 26(a)(1) Initial Disclosures not be made at this time pending the Court's ruling on Defendant's motion to dismiss. Contemporaneous with the filing of this Proposed Joint

Scheduling Plan, Defendant has submitted a separate letter, as required by the Court's Local Rules, to alert the Court of the fact that Defendant objects to disclosure of its Initial Disclosures at this time based on the pending motion to dismiss, which would be dispositive of the entire case.

Plaintiffs oppose Defendant's objections and request that initial disclosures take place within the time prescribed by the federal rules.

B. Joinder of additional parties shall be filed on or before October 15, 2008.

C. Any amendments to pleadings shall be filed on or before January 5, 2009.

D. All discovery must be initiated so that it is completed and/or responded to by May 8, 2009.

E. Plaintiffs shall identify testifying experts and serve expert reports on or before January 16, 2009. Experts who have issued reports may be deposed at any time following the date of service, and on or prior to April 10, 2009.

F. Defendant shall identify testifying experts and serve expert reports on or before February 13, 2009. Experts who have issued reports may be deposed at any time following the date of service, and on or prior to April 10, 2009.

G. Rebuttal expert reports shall be served on or before April 10, 2009.

3. Dispositive Motions

Any dispositive motions, including motions for summary judgment, shall be filed on or before July 10, 2009.

4. Settlement Discussions

The parties have discussed settlement and agree that it is premature at this time pending the Court's ruling on Defendant's motion to dismiss, which would be dispositive of the entire case. The parties have agreed to meet shortly after the Court rules on Defendant's dispositive motion should the case proceed regarding the opportunity for a settlement.

5. Final Pretrial Order and Conference

A. The final pretrial order shall be filed on or before August 28, 2009.

B. The final pretrial conference will be held on September 7, 2009 at ________ __ .m.

6. Trial

Trial is set in this matter on October 5, 2009 at ____ a.m. (To be set by the Court at the Rule 16 conference).

Respectfully submitted,

__/s/ Lisa H. Meyerhoff______________
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